

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – SEPTEMBER 2, 2020**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 2<sup>nd</sup> day of September 2020 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Presiding Judge Commissioner Justin Beckendorff at 9:00 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1  
 Walter Smith, Commissioner Precinct 2  
 Justin Beckendorff, Commissioner Precinct 4 – *Presiding Judge*  
 Stephanie Tompkins, Chief Deputy County Clerk  
 Absent: Carbett "Trey" J. Duhon III, County Judge  
 Jeron Barnett, Commissioner Precinct 3

Delivery of Invocation by: Commissioner Amsler  
 Pledge to the American Flag and Texas Flag led by: Commissioner Smith

**1. Approval of Agenda.**

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

**PUBLIC COMMENT**

To slow the spread of COVID-19, the public may make public comment at the beginning of the meeting by teleconference. **Local callers should call 979-921-6212.** Non-local callers should call 800-576-1131. The user code for both numbers is **14329937**. Callers will be asked if they would like to make public comment. After public comment, the teleconference line will be closed. The public may continue to watch the meeting streamed online at <http://wallercountytexas.swagit.com/live>.

The following public members made public comment:

Frank D. Jackson Denise Mattox Rosa Harris Kendrick Jones

**CONSENT AGENDA**

Items identified within the consent agenda are of a routine nature, and will be passed with one vote without being discussed separately. If a member of the court or public requests that a particular item be discussed, that agenda item will be pulled from the Consent Agenda and discussed as part of the regular agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.

**2. Approval of the minutes – August 26, 2020 Regular Session.**

**3. Request to approve payment on the following:**

- (a) \$1,215.00 for invoice dated August 24, 2020 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

- Case 4:18-cv-03985 Document 125-181 Filed 09/17/20 in TXSD Page 2 of 5
- (b) \$1,145 for invoice dated August 19, 2020 and \$1,145.00 for invoice dated August 20, 2020 for a total of \$2,290.00 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
- (c) \$32,934.29 for invoice # 37R to Brinkley Sargent Wiginton Architects from line item 601-601-545405 [Professional Services Jail].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by Elections Administrator for approval of Fixed Asset Transfers.
6. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith*

*– Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## **ECONOMIC DEVELOPMENT**

7. Discuss and take action to approve Tax Abatement Agreement with Brookshire Drying Company, Inc. aka Brookshire Rice Dryer and Texas Rice Milling Inc. Brookshire Drying Company, Inc. applied for a tax abatement for property owned by Brookshire Drying Company, Inc. The property, located at 1019 Bains, in Brookshire, has been designated as Waller County Brookshire Rice Dryer Reinvestment Zone 7. Brookshire Drying Company, Inc. will construct a rice milling facility on the property at an estimated cost including real and personal property of \$6,300,000.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith*

*– Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## **PUBLIC HEARING**

8. **Public Hearing:** on the adoption of an Amended Resolution for 911 Rural Addressing Standards.

**Public Hearing began at 9:19 a.m.**

Dr. Denise Mattox asked for summary

**Public Hearing ended at 9:21 a.m.**

9. Discuss and take action to adopt Amended Resolution for 911 Rural Addressing Standards.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith*

*– Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## **TAX ASSESSOR COLLECTOR**

10. Discuss and take action to authorize the County Judge to sign nine resale deeds for the private tax resale of properties currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.



Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

## **ELECTION ADMINISTRATOR**

11. Discuss and take action to approve Election Judges and Alternate Election Judges for the 2020 General Election as submitted by the Waller County Republican Chair and the Waller County Democratic Chair.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

12. Discuss and take action to approve Order for the November 3, 2020 General Election.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

## **AUDITOR**

13. **Spread** upon the minutes the Certification of the Juvenile Probation Department, TJJD Grant, in the amount of \$235,758.00 and create the 2020-2021 grant budget (JP 2020-06). *No action required.*

## **TREASURER**

14. **Spread** upon the minutes the TJJD Grant Salary Order. *No action required.*
15. ~~Discuss and take action to approve the 2020-2021 Renewal Notice and Benefit Confirmation for medical, dental, and life insurance coverages through the Texas Association of Counties.~~ **Item WITHDRAWN.**

## **FIRE MARSHAL**

16. Discuss and take action on Burn Ban. *No action taken, Burn Ban still in effect.*

## **CONSTRUCTION MANAGER**

17. **Update** on Precinct 4 Building Project. *No action required.*
18. Discuss and take action regarding IT infrastructure needs at all construction sites.
- Motion made by Commissioner Smith, seconded by Commissioner Amsler.
- Commissioner Beckendorff made motion to amend to discuss and take action in regards to IT infrastructure needs for the Library to be paid for from the library fund, seconded by Commissioner Smith.

**Amendment carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

**Amended Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

Commissioner Beckendorff made motion to amend to discuss and take action regarding to IT infrastructure needs for the Jail Justice System to be paid for from the bond fund, seconded by Commissioner Smith.

**Motion carried** by 3-0 vote.

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

Commissioner Beckendorff made motion for the IT infrastructure needs for the Precinct 4 building not to exceed \$13,875.00, seconded by Commissioner Smith.

**Motion carried** by 3-0 vote.

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

Commissioner Beckendorff made motion in regards to the IT infrastructure needs for the Justice Center not to exceed \$48,450.00, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

## **MISCELLANEOUS**

19. ~~Discuss and take action to approve Interlocal Agreements with the local school districts for the distribution of CARES Act funds. Item WITHDRAWN.~~
20. ~~Discuss and take action to distribute CARES Act funds to the local school districts for COVID-19 needs. Item WITHDRAWN.~~
21. ~~Discuss and take action to approve Business Associate Agreement and agreement for COVID-19 testing with AccessHealth. Item WITHDRAWN.~~
22. ~~Discuss and take action to amend County policies in relation to COVID-19. Item WITHDRAWN.~~
23. Discuss and take action to approve Order Assessing Nuisance Abatement Costs on property located at 3103 Clemons Switch Road, Brookshire, Texas.  
Motion made by Commissioner Smith, seconded by Commissioner Amsler.  
**Motion carried** by 3-0 vote.  

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>
24. Discuss and take action to approve Order Assessing Nuisance Abatement Costs on property located at 29601 Marti Lane, Katy, Texas.  
Motion made by Commissioner Smith, seconded by Commissioner Amsler.  
**Motion carried** by 3-0 vote.  

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>
25. ~~Discuss and take action to approve Interlocal Agreement with Hempstead and Hempstead TIRZ for participation in the Hempstead Tax Increment Reinvestment Zone. Item WITHDRAWN.~~
26. ~~Discuss and take action to deliberate business and financial issues in executive session based on a determination and recommendation from the District Attorney's Office that~~



Case 4:18-cv-03985 Document 125-181 Filed 09/17/20 in TXSD Page 5 of 5  
deliberation in an open meeting regarding contracts being negotiated would have a detrimental effect on the position of the County in negotiations with third persons.  
**Item WITHDRAWN.**

27. Discuss and take action to approve order designating the Waller County Community Center as the location for the sale of property pursuant to Tax Code Section 34.01.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

## **EXECUTIVE SESSION**

28. Deliberate business and financial issues related to contracts being negotiated pursuant to Government Code Section 551.0725.
29. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
30. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

**No Executive Session needed.**

## **ADJOURN MEETING**

Motion to **adjourn** meeting by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 9:58 a.m.

I **ATTEST** that the above proceedings are the true and correct minutes taken in my capacity as  
Ex-Officio for the Commissioners' Court of Waller County.



*Debbie Hollan*

Debbie Hollan  
Waller County Clerk

**APPROVED** this the 9<sup>th</sup> day of September 2020.

*Trey Duhon*  
Trey "Trey" J. Duhon, III  
County Judge